

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

v.

ALEXIS MORALES,
Defendant

FILED
CLERK'S OFFICE
CR. NO. 04-40019-FDS 48

GOVERNMENT'S MOTION TO UNSEAL GRAND JURY TESTIMONY

The United States of America, by Assistant U.S. Attorney David Hennessy, hereby moves, *nunc pro tunc*, to unseal the grand jury testimony of Police Officer James Carmody, relating to the above-captioned case.

As grounds therefor, the government states that Officer Carmody's testimony before the grand jury relates exclusively to the allegation and charge that on June 7, 2004, Mr. Morales possessed cocaine base with intent to distribute; that such charge is alleged in an indictment which is not sealed or otherwise impounded; that unsealing the grand jury testimony is necessary to enable the government to comply with its obligation, under Fed. R. Crim. P. 26.2, to produce at a detention hearing the prior statements of its witnesses; and the government does not believe that unsealing the grand jury testimony would adversely affect the reputation of any person or compromise any ongoing investigation.


The government moved orally at the detention hearing on September 27, 2004, in this matter for this same relief, and the

Court allowed the oral motion.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


David Hennessy
Assistant U.S. Attorney

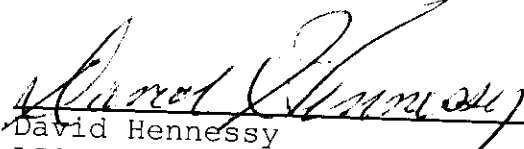
DATED: October 1, 2004.

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Eduardo A. Masferrer, Esq.
6 Beacon Street
Suite 720
Boston, MA 02108

This 1st day of October, 2004.


David Hennessy
ASSISTANT UNITED STATES ATTORNEY